EXHIBIT "B"

To

SUPPLEMENTAL DECLARATION OF PAUL HARRISON STACEY

(Correspondence of January 26, 2007)

WORD MUSIC, LLC vs. PRIDDIS MUSIC, INC. et al.

Case No. 3:07-cv-502

Judge Haynes

Dockets.Justia.com

LAW OFFICES OF

PAUL HARRISON STACEY, P.C.

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January 26, 2007
Via Facsimile and Regular Mail

Cheng C. Kao, Registered Agent
Mediostream, Inc.
4962 El Camino Real, Suite 201
Los Altos, CA 94022-1455

Dale Miller
c/o ProSing
6365 53rd Street • Suite B
Pinellas Park, FL 33781

Keith A. Shandalow,
Caplan and Earnest LLC,
1800 Broadway, Suite 200
Boulder, Colorado 80302

Richard L. Priddis
Priddis Music, Inc.
790 N 200 E
Lindon, UT 84042

RE. Warner Chappell Music, Inc., *et al.* v. Mediostream, Inc., Priddis Music, Inc., ProSound Karaoke, D.J. Miller Music Distributors, Inc., Richard L. Priddis, Individually, and Dale S. Miller, Individually

Gentlemen:

This letter is written to inform you that I have been retained by Warner/Chappell Music, Inc., Warner/Tamerlane Publishing Corp., and WB Music Corp., ("Warner"), to represent them relative to their claims for copyright infringement and related matters against the above-listed entities. My initial information indicates the infringement of (at least) the songs identified on the attached two schedules, though the total number of songs ultimately being infringed by the Priddis defendants is certainly much larger and continues to be compiled.

The infringing activities include, but are not necessarily limited to, the unlawful replication of these compositions and their printed lyrics, in various Karaoke musical products including, but not necessarily limited to, CDG, CD+G, DVD and internet downloaded recordings. Most of the compositions were infringed with no license at all; others have been infringed by exceeding the scope of licenses issued to ProSound in the United Kingdom.

Based upon the foregoing matters which have come to our attention, please consider this a formal demand that you cease and desist any and all infringing activities and fully account forthwith for any and all uses made of any of the copyrights which are now the subject of my clients' claims for infringement. Kindly confirm in writing, by 5.00 p.m. Mountain Time on Wednesday, January 31, 2007, that each of you will immediately cease and desist your infringing activities and will, in fact, render a full accounting within 14 days from the date of this letter.

If I do not hear from you with such a confirmation by the close of business on Wednesday, your silence shall be construed as a refusal; as well, your actions will be deemed *willful* copyright infringement subject to the maximum statutory penalty of $150,000.00 per copyright, plus any and all legal expenses incurred by my clients including, but by no means limited to, all attorney's fees and costs. Additionally, I shall take all steps necessary and appropriate to protect their interests by placing this matter in suit and seeking immediate injunctive relief.

I must also point out to you that if you possess Commercial General Liability Insurance for these claims, including coverage for advertising injury, you should immediately contact your carrier. Also, please provide my offices with the name of your insurance company and any adjuster/supervisor assigned to the file. In this manner, it is possible these claims may be resolved amicably and I need not necessarily disturb you directly in the future. If you have any questions whatsoever about any of the matters contained herein, please feel free to contact my office at your earliest convenience.

Very truly yours,

Paul Harrison Stacey

PHS:lb

cc: Ed Pierson
Kelly Isenberg

K SUPERSTAR SONG LIST
(MEDIOSTREAM, INC.)

	Song Title	**Percentage**
1	(They Long To Be) Close To You	50%
2	All My Life (Style of Kenny Rogers) Robbins/Elbair/Stephenson)	100%
3.	All My Life (Style of K-Ci & JoJo) Bennett/Hailey	40%
4.	All Star	100%
5.	And All That Jazz	100%
6.	All The Man That I Need	100%
7.	All You Wanted	100%
8.	Am I The Same Girl	
9.	And Still	100%
10.	Angel of Mine	50%
11	Angels In Waiting	33.34%
12.	Another Sad Love Song	25%
13	Another Time Another Place	100%
14	Anytime You Need a Friend	50%
15.	As Time Goes By	
16	Beat It	100%
17.	Begin The Beguine	100%
18	Believe	65%
19.	Best I Ever Had (Grey Sky Morning)	100%
20.	Betcha By Golly Wow	100%
21	Billie Jean	100%
22.	Blueberry Hill	
23.	Blurry	75%
24.	Breakaway	45%
25	Bring On The Rain	50%
26	Broken Hearted Me	100%
27.	Call On Jesus	100%

28	Can't Get Enough Of Your Love	100%
29.	Careless Whisper	100%
30	Carrying Your Love With Me	100%
31.	Caught Up In The Rapture	100%
32	Celebration	100%
33.	Chain Of Fools	100%
34.	Chariot	100%
35.	Chattahoochee (CDG Only)*	50%
36.	Cherish*	50%
37.	Christmas Shoes	50%
38	Christmas Waltz	100%
39	Come Clean	50%
40	Come Rain Or Come Shine	50%
41	Come Unto Me	100%
42.	Complicated	75%
43.	Crazy	35%
44	Cry Me A River	100%
45	Cuddle Up A Little Closer	100% Ex.T 50% US/Brts
46	Cup Of Life	46%
47.	Didn't I (Blow Your Mind This Time)	
48.	Don't Rock The Jukebox (CDG Only)*	33.34%
49.	Don't Take The Girl	12.5%
50.	Don't Tell Me*	66.66%
51.	Dreams*	100%
52	Ease On Down The Road	100%
53	El Shaddai	100%
54	Emotions	50%
55.	End Of The Road	27.5%
56	Endless Love	100%
57.	Evergreen	100%
58	Every Little Kiss	100%
59.	Everyday Is A Winding Road*	
60.	Everything's Coming Up Roses	100%
61	Everywhere	85%
62.	Faith	100%
63	Family Affair	22%
64.	Fast As You	100%
65.	Fast Cars and Freedom	33.34%
66.	Follow Through	100%
67.	For My Broken Heart	100%

68	Forever Love	75.01%
69.	Forever Young	16.67%
70	Frosty The Snowman	100%
71.	Full Moon	100%
72.	Funny Honey	100%
73.	Get Here*	100%
74.	Getting' Jiggy Wit It	25%
75.	Good Ol' Boys	100%
76.	Goodbye To You	100%
77.	Graduation (Friends Forever)	50%
78	Grease*	100%
79	Great Balls of Fire	100%
80	Greater Is He	100%
81	Grown-Up Christmas List	50%
82.	Happy Birthday	100%
83	Harden My Heart	100%
84.	Harper Valley P.T.A.	100%
85.	Have You Forgotten	100%
86.	Heal The World	100%
87.	Heartland	62.5%
88.	Heirlooms	33.33%
89.	Here For The Party	33.34%
90	Here I Go Again	50%
91.	Hero (Style of Mariah Carey)	50%
92	Hero (Style of Chad Kroeger, Josey Scott)	100%
93.	Hold On I'm Coming	25%
94.	Home	33.33%
95.	Hopelessly Devoted To You	100%
96	House Of Love	33.34%
97	How Can I Help You Say Goodbye	50%
98.	How Forever Feels	100%
99	How Will I Know	17.5%
100	How You Remind Me	100%
101	I Could've Danced All Night	100%
102.	I Cross My Heart	50%
103.	I Do Now	50%
104	I Don't Want To Be	100%
105.	I Don't Wanna Cry	50%
106	I Got You Babe	100%
107.	I Have Decided	50%
108.	I Honestly Love You	50%

109	I Just Can't Stop Loving You	100%
110	I Knew I Loved You*	100%
111.	I Love You	25%
112.	I Never Loved A Man (The Way I Loved You)	100%
113.	I Only Have Eyes For You	100%
114	I Shall Believe	70%
115.	I Will Be There For You	66.66%
116.	I'll Still Be Loving You	50%
117.	I'm Gonna Be (500 miles)	
118	I'm Gonna Love You Just A Little More, Babe	100%
119	I'm Not A Girl, Not Yet A Woman	30%
120	I've Got A Crush On You	100%
121.	I've Got Love On My Mind	100%
122	I've Got You Under My Skin	100%
123.	If Ever I Would Leave You	100%
124.	If It Makes You Happy	
125.	If My Friends Could See Me Now	
126.	If You Don't Know Me By Now	100%
127	Invisible	66.67%
128.	Islands In The Stream*	33.33%
129.	It Had To Be You	100%
130.	It Matters To Me	25%
131	It's Been Awhile	100%
132.	It's De-Lovely	100%
133.	It's Raining Men	50%
134	Jacob's Ladder	37.5%
135	Jingle Bell Rock	100%
136	Just What I Do	12.5%
137.	Kiss Me	100%
138.	La Bamba	
139.	La Copa De La Vida	
140.	La Isla Bonita*	
141.	La Negra Tiene Tumbao	100%
142	Lesson In Leavin'	50%
143.	Let It Snow! Let It Snow! Let It Snow!	100%
144	Listen to the Music	100%
145.	Little Girl	50%
146.	Live For You	50%
147.	Live Like You Were Dying	50%
148.	Looking Through Your Eyes	100%
149.	Love By Grace	50%

150	Love In The First Degee	100%
151	Love Power	50%
152	Love's Got a Hold On You	50%
153	Love, Me	50%
154.	Lucky 4 You (Tonight I'm Just Me)	
155.	Macarena	
156.	Mack The Knife	100%
157.	Main In The Mirror	100%
158	Midnight in Montgomery (CDG Only)*	50%
159.	Missing You	30%
160	Mother's Pride	100%
161	Music*	
162.	My Funny Valentine	100% (Ex. T) 50% US/Can
163.	Next Time I Fall	50%
164.	Nowadays	100%
165	Nuttin' For Christmas	100%
166.	Oh Girl	100%
167.	On The Street Where You Live	100%
168.	One Moment In Time	50%
169	One-Way Ticket (Because I Can)	100%
170.	People	100%
171	People Get Ready	100%
172	Photograph	100%
173.	Piece Of My Heart	50%
174.	Pieces of Me	33.34%
175.	Pinch Me	100%
176	Pour Me	68.75%
177	Praying For Time	100%
178.	Rain*	50%
179.	Raindrops Keep Falling On My Head	62.5%
180.	Redeemer	100%
181.	Redneck Woman	50%
182.	Rhythm Of The Rain	100%
183.	Roxie	100%
184.	Savin' Me	100%
185.	Send In The Clowns	100%
186	She Hates Me	50%
187.	She's A Beauty	33.32%
188.	She's In Love With The Boy	100%
189	Since I Fell For You	100%

190.	Sixteen Candles	100%
191	Smooth	60%
192.	Smooth Criminal	100%
193	Soak Up The Sun*	
194	Somebody Loves Me	87.5% US/ 50% Brts. 100% Row
195.	Someone To Watch Over Me	100%
196	Something Like That	37.5%
197.	Soul Man	25%
198	Strong Enough*	
199	Stuck	50%
200.	Sunny Came Home	50%
201	Take A Bow*	50%
202.	Take Me Away	75%
203.	Take My Breath Away	75%
204	Talk About It	90%
205.	Tantita Pena	100%
206	Tears In Heaven*	100%
207.	Tell Him	33.34%
208	Tell It To My Heart	50%
209.	Tennessee Christmas	50%
210.	Thank You	60%
211	That's What Friends Are For	100%
212.	The Grease Megamix (You're The One That I Want)	
213	The Lady Is A Tramp	100% World 50% US
214.	The Prayer	100%
215.	The Reason	100%
216.	The Rose	100%
217	The Way	23.75%
218	The Way You Make Me Feel	100%
219	The Wedding Song (There Is Love)	100%
220.	They Can't Take That Away From Me	100%
221	This Guy's In Love With You	50%
222.	This Kiss	33.34%
223.	This Used To Be My Playground	50%
224	Thy Word	50%
225.	To Love You More	50%
226.	To Where You Are	50%
227	Truly Madly Deeply*	

228.	Try To Remember	100%
229.	Turn The Beat Around	100%
230	U Got It Bad	25%
231.	Unbreakable Heart	100%
232.	Unbroken	50%
233.	Vogue	
234	Waiting For Tonight	100%
235	Wanna Be Startin' Somethin'	100%
236	We Are Family	50%
237.	We Are The World	50%
238	We Belong Together	.0985%
239.	What About Now	33.34%
240.	What If I Said	100%
241.	What The World Needs	50%
242.	When A Man Loves A Woman	100%
243.	Heaven (aka When Heaven Calls)	100%
244	When I Fall In Love	100%
245.	When I Think About Angels	66.68%
246.	When I Think About Cheatin'	66.68%
247.	When It's Over	90%
248.	When You Lie Next To Me	100%
249	When You're Good To Mama	100%
250	Where Would You Be	31.25%
251.	Wild One	41.67%
252	Wind Beneath My Wings	100%
253	Winter Wonderland	100%
254	Word Of God Speak	50%
255	Wrapped Up In You	100%
256.	www memory (CDG only)*	100%
257	Y Tu Te Vas	100%
258	Yes!	33.34%
259.	You	66.67%
260.	You Must Have Been A Beautiful Baby	100%
261.	You Needed Me	100%
262.	You Rock My World	20%
263.	You Spin Me Round (Like A Record)	73.34%
264	You'll See*	50%
265	You're Still You	45%
266.	You're The First The Last My Everything	100%
267.	You're The Top	100%

PROSOUND SONG LIST

Song Title	Product #
1. A Wink & A Smile	2105
2. All You Wanted	2109
3. Amazed	2124
4 Angel of Mine	2101
5. At Last	2116
6 Blessed	2122
7. Breakaway	2110
8 Bring Him Home	2135
9. Candy	2112
10. Castle On a Cloud	2135
11 Chain Of Fools	2116
12. Chariot	2103
13. Complicated	2109
14. Do Re Mi	2134
15. Evergreen	2136
16 Everywhere	2109
17 Fast Cars and Freedom	2106
18 Follow Through	2103
19. For You I Will	2101
20 Girl I Mean To Be (The)	2134
21. Good Ol' Boys (Theme from Dukes of Hazzard)	2120
22 Goodbye to You	2109
23. Guilty	2138
24 Here For The Party	2121
25. How Could I Ever Know	2134
26 How You Remind Me	2146
27 I Don't Wanna Be	2103
28 I Dreamed a Dream	2135
29 I Finally Found Someone	2136

Song Title	Product #
30. I Have Nothing	2141
31. I Promise	2123
32. I'm With You	2109
33. In My Life	2136
34. Kiss Me	2117
35. Lily's Eyes	2134
36. Looking Through Your Eyes	2133
37. No Such Thing	2103
38. On My Knees	2122
39. On My Own	2135
40. One Moment in Time	2144
41. Power of the Dream	2144
Song Title	**Product #**
42. Prayer (The)	2133
43. Redneck Woman	2121
44. Respect	2116
45. Roxie	2125
46. Savin' Me	2146
47. Shake It Off	2102
48. Sixteen Going on Seventeen	2134
49. Sk8er Boi	2110
50. Soak Up The Sun	2117
51. Somebody Like You	2106
52. Somewhere	2137
53. Sound of Music (The)	2134
54. Strong Enough	2117
55. Take My Breath Away	2111
56. The Rose	2137
57. To Where You Are	2114
58. Under the Boardwalk	2136
59. We Can Make A Difference	2122
60. When I Think About Cheatin'	2121
61. When You're Good To Mama	2125
62. Why Not	2112
63. Wick	2134
64. Wind Beneath My Wings	2137
65. With You	2111
66. Woman In Love	2138
67. You're Still You	2115